## PRICE TWO CENTS.

## CUNNEEN REPLIES.

## Makes Good His Charge of the \$18,000 Canal Steal.

### RIDDLES MILLER'S DEFENCE

### And Leaves Him With Not a Leg to Stand On.

He Shows That Comptroller Miller Himself Former Canal Board, of Which Miller Was a Member, Had Rejected the \$18,000 Item, and That Miller, After Voting to Reject It. Had Voted to Allow It-A Deliberate Fraud on the state, Says Cunneen-He Also Shows That Odellism Means Graft as Well as Public Waste and Extravagance.

BUFFALO, Oct. 12 .- Attorney-General John Cunneen addressed the great mass meeting of Democrats and Independents in this city to-night in reply to Justice Miller's defence of the Canal Board in awarding upward of \$18,000 extra to the Furnace ville Iron Company for excavating rock where no rock existed in their contract for work done in the \$9,000,000 canal improvement. Mr. Cunneen said:

#### Attorney-General Cunneen's Reply to Justice Miller.

I went to the Attorney-General's office after thirty years of intercourse with private clients with a habit which had grown out of all that experience of guarding sacredly the secrets of my clients. The law makes the Attorney-General the Governor's counsel and counsel to all the State officers. Perhaps it was an erroneous notion; I may have been influenced too much by the habit to which I have referred At all events, I concluded that the relations between myself and my associate officers should be regarded as confidential; that the public interests were best subserved by so treating them. I neither discussed in private conversation nor in the news papers the opinions I gave to my fellow officers for their guidance in official con-

Over 1,600 bills wheh had been passed by the Legislature were submitted to me by the Governor for my opinion as to whether the enactment was authorized under the Constitution and as to whether each bill was in proper form; but never for my opinion concerning the merits of the proposed legislation. I gave opinion as to all these, but never in a single instance disclosed to any one what that opinion was until the Governor first made it public or authorized me to do so. In the boards of which I am a member I have performed my duty as best I could. The meetings of those bodies are public, and their proceedings are published in the newspapers When I found it necessary to differ witmy associates I did so, but I never felt called upon to air these differences in the newspapers, to make any cutery, or to attract public attention to what I believed to be proper conduct on my part in the matter.

CHALLENGED TO TELL WHAT HE KNEW. At the recent Democratic State Conven tion some strong words were used in referring to Gov. Odell and his administration It was charged, at least in effect, that public money has been diverted to private profit. Thereupon the Buffalo News called upon me, in big black letters, printed in a conspicuors part of its first page for several days, to tell if I knew of a single instance in which "public revenue is diverted to private profit." An interview with the Governor was made public, in which he used language of similar import, and a few days later the following public interview with the Governor appeared:

cases in order to intimidate voters:

No fraud on suffrage will be tolerated by the Department of Justice. Our attitude is not swayed by partisan reasons. Patriotic and honest men of this country of every party and race will support our effort to prevent the degradation of the American ballot. After election we will go over the voting lists, and we will prosecute Republican and Democratic offenders against the naturalization laws with equal risor. In the past I have asked the court to extend clemency to many Italian laborers who were induced to get their papers to facilitate their employment on public contracts. I will continue to ask the court to extend clemency to those who will voluntarily surrender their false papers and who can show that they had no fixed design to violate the law, but who were deceived through ignorance. But to those who willingly vote with bad papers no mercy will be shown. In his statement of Friday night the Gov-ernor asked why Attorney-General Cunneen had not instituted proceedings, if all the He was asked last night how the Attorney-

General could act, if no charges had been brought before him. I refer to the legislative bills," the Governor replied: "I was guided entirely by his

The Governor thus sought to make me me responsible for every bill which he had approved during my term of office. Then all the great and small Republican newspapers began to call upon me to tell all I knew about "diversions of public revenue

to private profit." I told some things I knew, and because I did so I now read, in the Buffalo News, that my conduct is of a piece with the general plan of the Democratic management to run a dirty campaign; and in the Commercial I have betrayed the Governor's

I think you will agree with me that it

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is hard to please these newspapers. I told how the Republican members of the Canal Board, including the present candidate of that party for Governor, had, against my protest, diverted \$18,618 of public revenue to the private profit of the Furnaceville Iron Company on a fraudulent pretext that earth was rock; I told how the Legislature had passed and the Governor had approved, against my opinion, laws diverting about \$100,000 worth of public revenue to the private profit of beet sugar corporations; I told how the Legislature had passed, and the Governor had approved, against my advice, a bill which levies over \$37,000 upon the taxpayers of the towns of this State, to pay a Republican State committeeman his own price for a book which these officers did not buy and did not need; I told how the Legislature had at its last session passed, and the Governor had approved, a bill creating unnecessary officers with exorbitant salaries and allowances in lieu of expenses; how the Governor had appointed these officers to these places when there was nothing for them to do, and how, in the exercise of his discretion, he had fixed their salaries and allowances at the largest amounts that he possibly could fix them, and thus diverted about \$25,000 a year of money to the private profit

There are a few other things I can tell,

#### SAFE BLOWERS CAME IN AUTO. WE'RE AIDING BOTH SIDES Police on the Hunt Bag Four Innocent Mer

in Another Machine.

offices in this section turned up here this

morning, and after blowing up the safe

got away with \$50 in cash and \$200 in stamps.

They came in an automobile and dis-

appeared presumably in the same way,

after borrowing an umbrella from a p

destrian to protect their stamps from the

It was shortly after 3 o'clock that the

men appeared in Collingswood. Lambert

A. Newkirk, a Philadelphia commission

merchant, was standing on a corner wait

ing for a night car to take him to Camden.

He heard the auto stop, and then some one

"I thought they were fooling," said New-kirk, "and I told them to go along. But

the man who was talking to me showed me

a revolver. I concluded to be good and

told them that all I wanted was to catch

"'Oh, we'll be through long before that

car comes,' he replied, so I backed up against

"Then one of the men felt my pockets to

see if I had a gun, and the man who held

me let go his hold, but three of the four

stayed outside the post office. In a minute

'You wont mind lending us your um-

brella, will you?' he said. 'It's raining,

you know, and these stamps might get

spoiled.' Naturally I loaned them the

umbrella. They went up the road toward

Haddenfield and soon I heard an auto

Newkirk gave the alarm and it was

found that the post office safe had been

The police from Camden came to aid

the local marshal and together they came

upon a wrecked auto with a live watcher

sitting disconsolately in the mud and rain,

guarding it. He protested that the auto

was the property of Stanley Roxford of

Philadelphia, but the police were reluctant

themselves until three men came along

rushed in. The three expostulated pro-

fanely, but in vain. They were allowed to

flx up the auto and then were forced to ride

did belong to Rexford and that the watcher

and all were genuine. Other autos were

The robbers are reported as being courte

ARREST OF TAMMANY CAPTAIN.

Accused of Selling Bogus Citizen Paper in

1896-Bad Republicans to Suffer.

at 179 Clinton street, was arrested yester-

day on the charge of having in 1898 sold a

fraudulent citizen's paper for \$15 to Henry

L. Jager, an employee of the Street Clean-

ing Department. Wassenberger was held in \$2,000 for the Grand Jury by United

Wassenberger is the Tammany captain of

the first election district of the Twelfth

Assembly district, of which City Clerk Scully is the leader. He declared last night

that his arrest was only part of a plan to

Another thing that surprised him, Was-

senberger says, was the presence in court

of Jacob A. Newstead, the Tammany-Re-

publican leader of the Twelfth Assembly

seemed to be greatly interested in his case

and was anxious to secure a bondsman for

him. Wassenberger secured bail without

Gen. Henry L. Burnett, United States

District Attorney, issued yesterday the

following statement in reply to the charges

that he is prosecuting the naturalization cases in order to intimidate voters:

Name the Baseball Umpire.

known to the base hall men throughout

the country as Silk O'Loughlin, the premier

nominated for State Senator in the Forty-

fourth district by the Democrats to-day.

The honor came unsought. O'Loughlin returned to the city yesterday and was

returned to the city yesterday and was immediately waited upon by various Democratic leaders who, after much urging, prevailed upon him to accept the nomination. He has never taken a very active part in politics, although he has several relatives in this city who have been more or less active in local affairs. He is immensely propular in this city, and the Democratic propular in this city and the Democratic propular in this city and the Democratic propular in this city.

COLUMBIA BOYS GET BUSY.

Their Democratic Club to Give Matt Done

hue 5 Speakers and 40 Watchers.

The Columbia University Democratic

Club was reorganized yesterday in the in-

to assist in the campaign and forty watchers for the polls.

Adolph Cohn, professor of romance languages and literature, made a speech to the 500 members yesterday advocating the election of Parker and Davis and Herital Harrison.

Czar's Minister of Police.

Special Cable Despatch to TRE SUN.

ST. PETERSBURG, Oct. 12.-The Empero

has appointed Major-Gen. Rydzevski Assistant Minister of the Interior. Gen.

Rydzevski will have control of the police.

Insist upon having Burnett's Vanilla.

rick and Harrison.

States Commissioner Shields.

the aid of Mr. Newstead.

intimidate.

district.

Nathan Wassenberger, a saloonkeeper

held up, but the right one wasn't.

ous in speech and of refined manner.

There it turned out that the auto really

to believe him. They hid the watcher and

"Burglars' tools," said the police, and

I heard an explosion. The fourth man

the window of the post office.

came outside with a mail bag.

neatly blown open and rifled.

carrying repairing tools.

to the Camden court house.

said: "Fardon us, but we want you.

my car.

going away."

#### COLLINGS WOOD, N. J., Oct. 12.-The SUBMARINES FROM AMERICA GOfour men who have been robbing post ING TO RUSSIA AND JAPAN.

Sometimes the Boats Are Being Built Side by Side-Russian Secret Agents Probably Responsible for the North Dakota Wreek of a Railroad Train. WASHINGTON, Oct. 12.-It was learned

here to-day that the westbound train wrecked near Minot, N. D., and found to have on board the dismantled sections of two submarine torpedo boats, was merely a part of twenty-three carloads of submarine boat sections which have been shipped from the works of the Fore River Ship and Engine Company, at Fore River, Mass., and which are destined for the Japanese navv.

As published in THE SUN several days ago, thirty submarine boats are now building in this country for the Russian navy, and it has been believed that the Japanese Government had also placed an order with an American shipbuilding concern sometime ago. This was not definitely known until to-day, however, when it was learned on the highest authority that the order placed by Russia with American firms for thirty submarines of the Protector type had been immediately followed by Japan with an order for fifty submarines of the

Holland class. About one-third of this large order was placed with the Fore River company, and nine submarines were recently completed by them, tested and crated for shipment. The nine vessels were packed in twentythree freight cars of the largest type, and it was a portion of this order which was wrecked at Minot, N. D., on Tuesday. It was learned here to-day that officials of the Fore River company are convinced that the wrecking of the train was not an accident and that the probabilities are that it was the work of Russian sympathizers, or possibly paid spies of the Russian Secret Service. Armed guards will be sent with the next consignment of vessels from the Fore River yard and special precautions will be taken to prevent a repetition of the wreck incident.

It is interesting to note the fact that the submarine boat sections contained in the freight cars, some of which are now in the New York yards of the Pennsylvania company, are merely billed "Westward." with no more definite point of destination than that indicated.

The submarines destined for the Russian Government are being built at various shipyards, in some cases side by side with other craft of a somewhat similar type under construction for Japan. A shipment of submarines of the Protector type was recently made from the Newport News Shipbuilding Company to New York, whence they will be shipped direct to Russian territory.

Neither the Japanese nor the Russian diplomatic representative in Washington has called the attention of the State Department to the submarine craft now under construction in the United States for the other belligerent. Officials of the Department do not expect such action to be taken, as the belligerents are considered o be practically in the same boat so far as the question is concerned, both having placed large orders for submarines here ome time ago.

Even in the event of a protest being made, however, it is extremely doubtful whether the United States Government could take any action in the matter. As published in THE SUN the other day when it became known that Russia had placed a large order for submarine craft with American shipbuilding concerns, the only precedent in a similar case is the decision of Hamilton Fish, Secretary of State under President Grant, who held that a torpedo boat or similar craft which did not proceed across the ocean under its own steam, but which had been taken to pieces and shipped as freight, was to all intents and purposes merely merchandise. Of course, there could be no contention that such merchandise was not contraband of war, but under the Fish ruling, and according to the views of officials of the State Department, he construction of submarine craft in the United States and their shipment to belligerent Powers does not in the least constitute a violation of neutrality by the American Government.

#### GRAND JURY WANTS JOHN L Has Too Many Voters Registered From Over His Saloon in St. Louis.

St. Louis, Oct. 12.—A deputy sheriff is looking for John L. Sullivan. He has "SILK" O'LOUGHLIN FOR SENATOR The Democrats of the Rochester District a subpœna bidding John L. to appear before the Grand Jury and explain how it is that seventy-five men have registered ROCHESTER, Oct. 12.- Francis O'Loughlin, from the rooms over the saloon of which John L. is manager, when ten persons would crowd the rooms to suffocation. umpire of the American League, was

Frank Gillespie, partner of Sulivan, Frank Gillespie, partner of Sulvan, at 606 Market street, says Sullivan disappeared on Saturday night and he has been unable to get any trace of him. He says:

"Sully got off the water wagon when a lot of fellows from Boston came into the place. Most of them touched him for a handshake and a loan of \$5 or \$10, and others threw their invitations at him so hard that he felt like he had just to take something."

The police have heard nothing of Sullian and are inclined to think his spree is a quiet one for him. Some of his friends believe that he has taken a train for the East, otherwise the police would have no difficulty in finding him.

# or less active in local affairs. He is immensely popular in this city, and the Democratic leaders think they have made a master stroke in naming him. The district is normally Republican, but they believe that he will be able to win out. His opponent is Senator W. W. Armstrong. MIGHT CELEBRATE ON \$19,400.

# The Aldermen Revise Their Fatimate of the Cost of a Subway Junket. terest of the Democratic national and terest of the Democratic national and State tickets. The officers of the club are: Phelan Beal, one of the ends on the football team, president; Thomas Thorpe, the star tackle, vice-president; S. E. Rogers, secretary: David Porter, treasurer. The executive committee consists of Messrs Wyatt, Tepoele, Abrams and Capt. Caponiger. At the request of Matthew Donohue, the leader of the Twenty-first Assembly district, the club will provide him with fifteen speakers to assist in the campaign and forty watchers for the polls.

The Aldermen have revised their estimate of the sum necessary to celebrate the opening of the sabway on Oct. 27. At first the committee in charge of the affair demanded \$50,000 of the Board of Estimate The Mayor told Alderman Richter and Doull of the committee that they had another guess coming. He suggested dianother guess coming. He suggested dividing the amount by ten. The Aldermen objected, and there were threats to abandon the whole celebration.

"Tell then to take the \$5,000 quickly,

"Tell them to take the \$5,000 quickly, before we repent of our generosity," whispered the Mayor to President Fornes, who sat beside him.

The sub-committee sent a letter to the Mayor vesterday saying that they were willing to take \$19,400, of which \$6,000 is to be for fireworks. It was denied in the City Hall yesterday that this was a heterophemy for fire water.

It isn't likely that the Board of Estimate will allow more than \$5,000.

ATTRACTIVE OVER SUNDAY TRIPS To Atlantic City via Pennsylvania Raliroad. Every Saturday during October. Rate covers round trip transportation and two days hotel accommodations. Only \$11.00 and \$10.00, according to hotel selected. Beach front hotels at \$11.60 rate. See ticket agents.—Agr.

#### CRANE APPOINTED SENATOR. Ex-Governor Will Succeed Mr. Hear in the Federal Legislature.

BOSTON, Oct. 12.-Ex-Gov. Winthrop Murray Crane of Dalton was appointed United States Senator to-day to succeed the late George Frisbie Hoar of Worcester by Gov. Bates. Mr. Crane has accepted the appointment. The appointment holds good until the Legislature of 1905 chooses a

uccessor to Senator Hoar. There is no doubt in the minds of most political observers that that body will choose Mr. Crane for the unexpired term and that there will be no contest. While Mr. Crane had undoubtedly been sounded elative to the matter, the first formal tender of the appointment was made to him over the telephone this forenoon, and his acceptance was received in the same way. A formal letter was mailed to him early this afternoon.

In all the gossip since Senator Hoar's death seemed imminent, relative to his successor, Mr. Crane's name has led all the rest. Others mentioned have been ex-Gov. Long, Attorney-General Moody, Gen. William F. Draper, Congressman Gillett and Congressman McCall. Quite a number have thought that Gov. Bates would name ex-Gov. Long. With Mr. Long in the Senate Massachusetts would have two orators there. With Lodge and Crane there she would have one orator and one keen business man who is closely in touch with great and controlling influences all over the country.

Some have thought that, because the Crane paper company holds the contract for supplying the Government with all the paper required for National Bank bills. United States bonds, certificates and treasury notes, Mr. Crane could not accept the Senatorship. But the Crane paper company is an incorporated company, and therefore the statutory provision regarding Federal contracts does not apply to him.

#### RIGHT TO TRUST PROSPECTUS. That Point to Be Tried in Mrs. Wood's Suit Against Shipbuilding Co.

HEMPSTEAD, N. Y., Oct. 12.-There is very likelihood that the suit of Mrs. Benjamin Wood to recover nearly \$200,000 will be tried at the next term of the Supreme Court of Nassau county. The case was to have come up at the last term, but efforts to have it tried elsewhere and the argument on a demurrer held it back.

Mrs. Wood's claim is based on the allegation that her loss, which amounts to nearly \$200,000, was caused by the prospectus of June 14, 1901, and that that prospectus contained untrue statements. the demurrer the defendants declared that even if the facts alleged in her complaint were true they were not sufficient to make a cause of action.

Supreme Court Justice William J. Kelly's decision, made public to-day, overrules that contention. In his opinion he says: "I do not think the court should indulge

n presumptions that directors are not responsible for such corporate publications as the prospectus]. The court should not presume passivity, and in any event it is alleged that these defendants approved the ance of the prospectus, that they had ectual knowledge of the falsity of the representations and that the representations were made with intent to defraud the plain-

"I think that the allegations of the com plaint are sufficient to entitle the plaintiff to offer evidence of affirmative acts or omissions by the demurring defendants and personal participation in the wrongdoing charged against the corporation of which they were directors at the time the alleged false representations were made.

#### FRISCO KID" AT WHITE HOUSE. Fravelled Across the Continent to the President's Shoes.

WASHINGTON, Oct. 12 .- A boy of the name of Fred Racik, who calls himself the "Frisco Kid" and who has recently arrived in Washington from San Francisco, called at the White House to-day. He made his way across the continent on a capital of fifteen cents, shining shoes to pay expenses and economizing by stealing rides on freight trains. He set out from the Golden Gate with the expressed determination of going to Washington to shine President Roosevelt's shoes.

He waited two hours to see Mr. Roosevelt this morning. At last, just before luncheon, the President came out into the public lobby of the White House office building and shook hands with the lov.

"I am very glad to see you; very indeed," the President said. "Won't you let me shine your shoes, sir?" asked the boy, hastily, as he saw the

President start as if to retire to his office. "No, not now," replied the President, "but thank you very much," and he was

The boy was disappointed and spent some time in trying to persuade the officers around the White House to secure another interview with the President for him. Racik had with him a bootblacking box which was covered with old coins, beer checks and hotel checks that he had collected during his travels.

## HUSBAND TOOK HER \$10,000.

#### Law Suits Reveal Secret Marriage of Miss Pfouts of Wilkesbarre.

WILKESBARRE, Pa., Oct. 12.-Miss Frances Levering Pfouts, a wealthy girl of this city, being the heiress of one of the oldest familes in this region, was married secretly here two weeks ago and now has been deserted, at Knoxville, Tenn., by her husband after he had obtained \$10,000 from her, according to a telegram received here to-day. It was the first knowledge that many of her friends had of the marriage.

She was married here on Sept. 28 by the Rev. Dr. F. B. Hodge of the First Presbyterian Church. The bridegroom was Joseph Brooks Rogers, whom Miss Pfouts met at Colorado Springs during the summ e:. They went to Knoxville, where he lives and is said to be a member of a well known family. He had induced her to convert ome securities into cash and obtained \$10,000 to invest in Knoxville. Last Saturday, so the despatch says, after drinking heavily, he converted all his property into cash and went West.

The deserted wife, yesterday, through her brother, George Pfouts, who is now with her, began suit against him to recover the money and includes in the suit five banks where it is believed he has money deposited

LONDON, Oct. 12 .- To-day's bulletins an-H. T. Dewey & Sons Co., 128 Fulton St., N. Y. DEWEY'S PORT WINE AND GRAPE JUICE

The water used in the PLAZA HOTEL. NEW YORK, is absolutely pure, being twice filtered

## DENY SECRET WEDDING STORY No Takers.

#### ALLEGED WITNESSES REFUTE MISS OWEN'S CLAIMS.

#### Danbury Woman Swears That She Married E. J. McPhelemy in Brewster, N. Y., in 1884-Gives Full Details, Which Are Contradicted in Court-Puzzling Case.

DANBURY, Conn., Oct. 12 .- Although the man she says is her husband and the people she names as witnesses to her secret marriage declare that they have no recollection of the ceremony that she describes with much detail, Mary Owen, a well known woman of this city, as Mary O. McPhelemy, is suing Ellery J. McPhelemy, a wealthy real estate owner, also of this city, to secure as his wife one-third of his extensive property.

The plaintiff, who is a handsome woman of middle age, described in the Superior Court to-day before Judge Ralph Wheeler, with much minuteness of detail, the ceremony which she says took place in I rewster, N. Y., on Faster Sunday in 1884. Brewster is ten miles from this city, and the plaintiff told of the drive there in company with a party of friends, and the visit to the home of a friend named McCabe, where, she says, they were married by the Rev. Father Healy, now dead.

"Mrs. Michael Brauneis, who witnessed the ceremony, removed her wedding ring from her hand, as I had none," said the plaintiff, describing the ceremony, "and loaned it to me in order that the marriage might proceed. I returned it to her after the ceremony."

The other witnesses, the plaintiff said. were Charles McAllister and John Brauneis, well known business men of this city, and Miss Vesey, now Mr. McAllister's wife. Mrs. Brauneis, who was called to the witness stand for the defence, declared that she had never been in Brewster in company with Miss Owen and Mr. McPhelemy and that she had never loaned Miss Owen a ring. The other persons named by Miss Owen as witnesses to the ceremony all said with much positiveness that they had no recollection of any of the circumstances related by the plaintiff and that they had never accompanied Miss Owen and Mr. McPhelemy to Brewster.

The party agreed after the ceremony, Miss Owen said, to keep the marriage secret because Miss Owen's mother had been opposed to Mr. McPhelemy and she feared that news of the wedding might have serious effect upon her. Not until she decided to bring action against Mr. McPhelemy did she make the marriage

public. Patrick Lahev, the aged sexton of the church, alone corroborated in part the story of Miss Owen. He testified that he recollected that Father Healy asked him to carry his book and stole to the house where the wedding took place, and that Father Healy afterward told him that he had forgotten to enter the marriage upon the records of the parish and sent to Danbury to secure data in order that the record might be properly made.

The records of the parish and the town records in Brewster contain no record of the marriage.

#### AMERICUS CLUB COMING. 200 Pittsburg Men as Escort to Republican

Speakers Here on Oct. 19. PITTSBURG, Oct. 12.-President J. Wainwright of the Americus Club here yesterday received an invitation from the national Republican committee to take 250 of his men to New York and act as escort Senator Fairbanks and Secretary Shaw at the Madison Square Garden meeting next Wednesday night. Mr. Wainwright saw some of his lieutenants, and there was some scurrying along the line, as the national committee wanted an answer this after-

At 3 o'clock it was announced by Mr. Wainwright that his club would turn out 200 strong at New York. A rush order was sent for new uniforms, and it is promised by the Americus Club, which has gained so much fame at different conventions, that they will appear at its best in New York.

## TUCKER OUT FOR ROOSEVELT. President of Dartmouth Says the President

Is Not Radical. Boston, Oct. 12. President Tucker of Dartmouth College appears with Dean Rogers of the Yale Law School in the current Congregation that in a discussion of the Presidential candidates. President Tucker contributes the argument for Mr. Roosevelt. He does not agree with the Republican platform or the President on the tariff, but does not find Parker raising an issue there in contrast

in contrast.

The real issue of the campaign he finds in the personality of Mr. Roosevelt, and in his attitude toward the organic law of the land; and so believing, he does not hesitate to say that he believes the country will be safer in Mr. Roosevelt's hands than in Mr. Parker's. Mr. Roosevelt "is not radical," says President Tucker. "His apparent radicalism lies entirely in the forceful manner in which he handles moderate and sensible things. and sensible things.

#### PREACHER'S LONG DRIVE. With His Wife He Has Travelled More Than 3,500 Miles in a Carriage.

MILLBURN, N. J., Oct. 12.-After a journe by horse and carriage of more than 3,500 miles, the Rev. John Harrison, an aged evangelist, and his wife stopped at Millevangelist, and his wife stopped at Milburn last night and to-day started for his home in New York. They started on Sept. 19, 1903, with the same horse and wagon they had with them to-day. The trip was to benefit Mr. Harrison's health.

He said last night that before he reached North Carolina he had improved so that he could eat almost anything and at present his health is better than it ever was before. Atlanta, Ga., was the objective point. He

Atlanta, Ga., was the objective point. He lived there at one time, and he and his wife were entertained there for three weeks, starting on their return trip March 31.

## Special Cable Despatch to THE SUN.

LONDON, Oct. 12.-Mr. Pinero's "Wife Without a Smile," was produced at Wyndham's Theatre this evening. It met with a good reception, free from "booing," but the audience was not enthusiastic. It is a frothy farce of the French school It is not valuable, and is not likely to prove

#### Lady Curzon Better Special Cable Despatch to THE SUN.

counced that Lady Curzon was a little better. Such is the climax of its kind. The Pennsylvania tailroad is the natural short line route to St. Louis. to extra fare on the St. Acute Language to the Earnosition.—Ads.

## 10 TO 7 1-2 BET ON HERRICK. Offers of High Odds on Roosevelt Meet

One bet at odds of 10 to 71/2 on Herrick was made in Wall Street yesterday. Fred H. Brooks bet \$1,500 on Herrick, \$1,125 of Higgins money being put up by Sheffield & McCullough. Brooks also offered \$1,000 to \$800 that Roosevelt carries the State, and \$5,000 to \$4,000 on Herrick. One bet of \$6,000 against \$2,400 on Roosevelt for the general result was offered, but found no

CINCINNATI, Oct. 12 .-- W. L. Odell, a wealthy broker of this city, to-night announced that he would bet \$50,000 to \$20,000. or any part thereof at corresponding odds. that Roosevelt would be elected.

#### WOMAN HER HUSBAND'S LAWYER. Florence D. Potter Appears for Alexander

Petter in Supreme Court Suit. The unusual spectacle of a woman lawyer acting as counsel for her husband was witnessed in the Supreme Court yesterday when Mrs. Florence D. Potter appeared with J. Aspinwall Hodge as counsel at the trial before Justice Davis of the suit brought by Alexander Potter and William B. Tuteur against Clinton L. Rossiter. The suit is for an accounting under an agreement made in 1901, by which the plaintiffs assigned to Rossiter some water power conessions in Mexico.

Mrs. Potter was the second woman to be admitted to practice in this State. Opposed to her as counsel for Rossiter is Judge W. W. Goodrich.

#### DELAWARE'S NEW TICKET. Republicans Harmonize on Lea for Governor-He Gives No Pledges.

WILMINGTON, Oct. 12.-The Republican State committee to-day completed the formation of a joint State ticket. Preston Lea, who was named for Governor, would not accept with the understanding that in the event of his election he would name as Secretary of State one of three Addicks Republicans to be selected. He was then taken without pledges of any kind.

The regular Republicans got the Attorney. General, State Treasurer, and State Auditor, while the Addicks men got a member of Congress, Lieutenant-Governor and Insurance Commissioner.

All the regular candidates first nominated esigned with the exception of Dr. Joseph Chandler, candidate for Governor, who insists upon staying in the field. His friends are arranging to have him head a second ticket to be placed on the ballot by peti-

#### FEAR BIG GUN FIRING. Folks Around Fort Hamilton Worrled by the New 16-Inch Cannon.

Much uneasiness is felt by the residents f Fort Hamilton, Bay Ridge and Bath Beach over the firing of the 16-inch coast defence guns recently put in at Fort Hamilton when target practice begins next Tuesday. At the proving station at Sandy Hook the big guns when discharged shook the houses for miles inland, knocking down ceilings and destroying several

old buildings. Several of the residents near the fort have called upon Col. Green, the commandant, to ask him if he could assure them that the concussion from the big guns would not damage their property. The commandant told them that he could

not give any such assurance. Aside from the damage that may done to shaky ceilings and window glass, there are many of the residents who fear that the force of the explosion will bring about disastrous results at the Fort Lafayette arsenal, a few hundred feet from shore, in the Narrows. This place is used as a storehouse for guncotton and old shells.

## COUNTESS'S MAID LOST.

#### The Cassini Party Had to Walt Until She Was Found. BRIDGEPORT, Conn., Oct. 12.—Count Cas-

sini, the Russian Ambassador to the United States, the Countess Cassini, Commander Alexander Boutakoff, Naval Attaché of the Russian Embassy at Washington, and Mme Boutakoff, and a retinue of servants became agitated at the railroad station here yes terday afternoon when a French maid to the Countess got lost and took the wrong train. Rachel, the maid, is a recent importation

from Paris and cannot speak English. The party had just left the summer home of Commander Boutakoff at Black Rock and were bound for New York. While waiting for their train on the station platform, an eastbound train came along and the maid rushed for it. The Countess was talking to Mme. Boutakoff. Commander Boutakoff and others of the party ran after the maid and velling at her in English and Russian that she was getting on the wrong train, but the train was pulling out and her high heeled ties disappeared through the door of the coach.

Telegrams were sent to New Haven to the authorities to send her back to New York. This caused a delay of several hours, break ing up the plans of the Count and Countess. who were forced to wait for the return of the lost maid.

#### TAGGART GOES NEXT WEEK, But Vows That He Will Come Back to New York to See It Out.

Chairman Tom Taggast of the Democratic national committee said last nigh that nothing could induce him to start for Indiana to-morrow, but he added that he would go home for a few days next week. And then, as if to make it plain that this journey was not to be taken as an indication that he meant to stay in Indiana when he got there, he said he would come to New York and would remain here until after

York and would remain here until after election day.

"But how about your vote; if you stay in New York you will throw away a vote for Parker," it was suggested.

"No I won't," said Mr. Taggart, "because I shall pair with some one. I can find a Republican in Indianapolis who won't be able to vote on election day and I will pair with him."

### PATROLMEN TO REPORT FIRES. Brief but Comprehensive Blank to Fix

Former Chief of Police Devery's old cheme of having the policemen make detailed reports of every fire on their posts is to be revived by Commissioner McAdoo. Fire Chief Croker's recent statement that the police were negligent in turning in fire alarms at night, it is believed, has inspired

Under Devery's administration a police-man was furnished with "fire" blanks a vard long. The new blanks will be brief, but will provide for all details of the fire. The captains will be required in the future to include the fire reports in their daily

## BATTLE NEAR YENTAI MINES.

#### JAPANESE FIGHT TO CHECK THE RUSSIAN ADVANCE.

Oyama Sends Word to Tokio That He Will Take the Aggressive Against Kuropatkin's Army-Russian Capital Is Hopeful of Victory-Baltic Fleet Plans.

Special Cable Despatch to THE SUN. Tokio, Oct. 12.-The battle near Yentai raged without interruption all day yesterday and continued to-day, and still without decisive results. The Japanese have checked the turning movement of the Rus-

Field Marshal Oyama reports that there was fighting along almost his entire front on Monday, the Japanese gaining ground. A Russian attack upon Hsienchwang was repulsed.

Gen. Mumezava's detachment, forming part of Gen. Kuroki's right wing, which yesterday recaptured the position at Penchichu, 25 miles north of Motion Pass, from which it had been driven the day before by a vastly superior Russian force, has been strongly reenforced, and is holding the position against the enemy.

There are six divisions of Russians in the vicinity of Penchichu. Four divisions of the enemy are advancing on Lizoyang from Pigtaltsze, three divisions from south of Yental and three from west of the railway. The Russians have large reserves.

Authoritative despatches state that a big battle, centering at Yentai, is progressing The fighting is severest west of the rail-ST. PETERSBURG. Oct. 12.-In a despatch

to the General Staff to-day Gen. Kuropatkin reports that a battle began on Monday north of the Yentai mines and that the fighting is still in progress. LONDON, Oct. 12 .- A despatch from -St. Petersburg says that the Russians are

attacking the whole Japanese front, from the railway to Kaotaitze, a distance of twenty-three miles. The Yentai mines, which have hitherto not been mentioned in the Russian official despatches, remain in the hands of the

The Russians have lost heavily Gen. Daniloff is among the wounded. A despatch received from Gen Sakharoff says that Gen Daniloff was wounded

in the leg, but did not relinquish his com The Russ publishes a despatch describing the fighting on Sunday, Monday and Tuesday within three miles of Yentai. It says that the Japanese on Monday, when the firing was continuous day and night, assumed the defensive after raking the

Russian position When the telegram was despatched furious fighting was in progress about five miles from Yentai, with the issue still in

the balance. A news agency despatch from Tokio says that the Japanese are making a general advance upon Mukden. A brigade of Russian infantry, with 2,000 cavalry and two guns, crossed the Taitse River on Sunday to strike at Gen. Kuroki's left flank. The Japanese have cut off the retreat of this

force, and hope to capture it. LONDON, Oct. 13 .- From the multitude of war reports received here the only fact emerging is that the fighting is continuing. The newspapers print long Tokio telegrams reporting that Marshal Oyama' report does not elucidate the actual posi-

None of these despatches deals with the doings of yesterday, concerning which nothing has been received here through any reliable channel. A press despatch from Tokio indeed professes that a general Japanese advance on Mukden was going on yesterday, but this is not corrol

from other sources. A feature of the reports attracting much attention here is the Russian attack on Hsienchwang, which is spelled on the Rus sian and German maps Tsianchan. It is north of Saimatse. Reference to the maps shows that this is in the rear of the Japa nese main position, and commands the rose leading southwest to the Yalu River.

The importance of this movement cannot be gauged accurately. It is assumed that the attackers can only be a raiding force, which it was rumored earlier had been out off, although Marshal Oyama does not confirm the report, he merely saying that the attack had been repulsed.

His statement, issued by the Legation here, to the effect that the Japanese left is menacing the Russian rear, also fixes interest. Each army seems to be attempting to turn the other's right. The Standard's correspondent with Gen

Kuroki:s army, telegraphing under date of Oct. 10, describes the country that the Russians have chosen for their operations as a semi-circular range of bare mountain east of the railway, extending from Yental to Daling.

They began their advance from Mukden early in October, crossing the Hun River at several places. The armies are now confronted on mountain ranges divided by a narrow valley. The situation is most interesting, and promises to develop into a great battle.

### CAPTURED BY THE JAPANESE. Ship Trying to Get Stores Inte Port Arthur Is Caught.

WASHINGTON, Oct. 12.—This official despatch from Tokio, dated to-day, has been received by the Japanese Legation:

\*Our guardship Shirataka, which was on duty on Oct. 12 (to-day), captured the steamer Fupin, which was attempting to smuggle into Port Arthur. An enormous quantity of articles of contraband destined for the port was found aboard."

The following official confirmation of the destruction of the gunboat Hai Yen has also been received from the Japanese Legation in London:

"Admiral Hosoya reports that the gun-boat Hai Yen, which was on duty as guardship near Pigeon Bay on Sept. 18, has since been missed. Four of her crew were afterward found at a neighboring island. It appears that the storm was raging at nightfall of the 18th and the gunboat, while returning toward the base, struck enemy's floating mines and cank in a few minutes. All her crew believed to have been lost except the above named survivors and seventeen